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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,523	08/09/2001	Hidehiro Fukushima	501.35380CX2	5279

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EXAMINER

PHUNKULH, BOB A

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/924,523	Applicant(s) FUKUSHIMA ET AL.	
	Examiner Bob A. Phunkulh	Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001 and 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/870,398.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is in response to applicant's 11/29/2001 amendment(s)/response(s) in the application of **FUKUSHIMA et al.** for "**ROUTER DEVICE AND NETWORK SYSTEM USING THE SAME**" filed 08/09/2001. The amendments/response to the claims have been entered. No claims have been canceled. No claims have been added. Claims 26-35 are now pending.

Claim Objections

Claim 26 is objected to because of the following informalities: please correct the subject matter "a reservation request packet" in line 12 to --the reservation request packet--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Cidon et al. (US 5,367,517), hereinafter Cidon.

Regarding claim 26, Cidon discloses a method for opening a connection between a first router (node 0 or source node, in figure 1) and a second router (node 3 or destination node, see figure 1) for transmitting a data packet, wherein both of the first

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router and the second router being coupled via a network, said method comprising the steps of:

generating a reservation information packet for opening the connection at said first router, transmitting said reservation information packet bound for a predetermined destination from said first router (col. 2 lines 62-68);

receiving said reservation information packet at said second router (see col. 4 lines 28-58);

checking information in said reservation information packet at said second router (see col. 4 lines 28-58);

generating a reservation request packet at the second router, when a result of said checking step indicates that a reservation request packet is to be transmitted back as a reply to said reservation information packet (the reservation request *reply* packet, see col. 4 lines 28-58);

transmitting said reservation request packet back from said second router (see col. 4 lines 28-58);

receiving the reservation request packet from said second router (see col. 4 lines 28-58); and

processing with respect to said reservation request packet to open the connection at said first router (see col. 4 lines 28-58).

Regarding claim 27, Cidon discloses the step of processing at checking that said reservation request packet corresponds to said reservation information packet that said first router transmitted (see col. 5 lines 22-39).

Regarding claim 28, Cidon discloses including a communication parameter in said reservation request packet, and wherein the step of processing at said first router comprises the step of: referring to said communication parameter that said second router includes in said reservation request packet (the reservation request reply packet includes B-max and B-min data and the data is processed by the source node, see col. 5 lines 22-39).

Regarding claim 29, Cidon discloses registering said communication parameter in said reservation request packet into a connection management table of said first router, and wherein the step of generating at the second router comprises the step of: registering said communication parameter in said reservation request packet into a connection management table of said second router (the B_min and B_max values are stored in the a look-up table (LUT) upon receiving the reservation request reply packet, see col. 4 lines 53-62).

Regarding claim 30, Cidon discloses checking information in said reservation information packet with information for managing communication provided by said second router (see col. 5 lines 31-39).

Regarding claim 31, Cidon discloses deciding whether to transmit said reservation request packet back or to transfer said reservation information packet to a third router (see col. 5 lines 31-39).

Regarding claim 32, Cidon discloses setting a destination at said first router by referring to information for managing communication provided by said first router (see col. 2 lines 62-68).

Regarding claim 33, Cidon discloses determining a communication parameter by referring to information for managing communication provided by said second router (upon receiving the reservation request packet, the destination node determines whether the link 16 can support the request, see col. 4 lines 28-42).

Regarding claim 34, Cidon discloses setting said information for managing communication at said first router by referring to a managing packet that is transmitted to said first router (the reservation request reply packet, see col. 5 lines 31-49).

Regarding claim 35, Cidon discloses setting the information for managing communication at said second router by referring to a managing packet that is transmitted to said second router (the reservation request packet, see col. 4 lines 28-58).

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

The following address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, Hand Delivery, etc.) as follow:

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220 20th Street South
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor **Kenneth Vanderpuye**, can be reach on **(571) 272-3078**. The fax phone number for this group is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bob A. Phunkulh



TC 2600
Art Unit 2661
October 27, 2004

BOB PHUNKULH
PRIMARY EXAMINER